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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SPAR BILICKI,

Defendant.

Case No.: 2:20-mj-01106-DJA

**ORDER TO CONTINUE THE
PRELIMINARY HEARING
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A. TRUTANICH, United States Attorney, and ALLISON REESE, Assistant United States Attorney, counsel for the United States of America, and RAQUEL LAZO, Assistant Federal Public Defender, counsel for Defendant SPAR BILICKI, that the preliminary hearing date in the above-captioned matter, currently scheduled for January 11, 2021, at 4:00 p.m., be vacated and continued for thirty (30) days, to a date and time to be set by this Honorable Court.

This stipulation is entered into for the following reasons:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. The parties agree to the continuance.

4. Defendant SPAR BILICKI is in custody and does not object to the continuance.

5. Additionally, denial of this request for continuance could result in a miscarriage of justice.

6. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

7. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

8. This is the first request for a continuation of the preliminary hearing.

DATED: January 5, 2021

Respectfully submitted,

NICHOLAS A. TRUTANICH
United States Attorney

/s/ Allison Reese

ALLISON REESE
Assistant United States Attorney

/s/ Raquel Lazo

RAQUEL LAZO
Assistant Federal Public Defender
Counsel for Defendant SPAR BILICKI

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

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Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The Government needs additional time to produce relevant discovery to Defense Counsel.

2. Defense Counsel needs additional time to review the discovery, conduct additional investigation, and confer with the Defendant about how he would like to proceed.

3. Defendant SPAR BILICKI is in custody and does not object to the continuance.

4. Additionally, denial of this request for continuance could result in a miscarriage of justice.

5. The additional time requested herein is not sought for purposes of delay, but to allow for a potential pre-indictment resolution of the case.

6. The additional time requested by this stipulation, is allowed, with the defendant's consent under the Federal Rules of Procedure 5.1(d).

7. This is the first request for a continuation of the preliminary hearing.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the preliminary hearing date.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein to potentially resolve the case prior to indictment, and further would deny the parties sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the preliminary hearing, taking into account the exercise of due diligence.

The continuance sought herein is allowed, with the defendant's consent, pursuant to Federal Rules of Procedure 5.1(d).

ORDER

IT IS THEREFORE ORDERED that the preliminary hearing currently scheduled for January 11, 2021, at the hour of 4:00 p.m., be vacated and continued to _____, 2021, February 22, 2021, at 4:00 p.m., Courtroom 3A.

DATED this 7th _____ day of January, 2021.



THE HONORABLE DANIEL J. ALBREGTS
UNITED STATES MAGISTRATE JUDGE